

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

MIGUEL CANTRES-SANJURJO

Defendant.

10-CR-905-LTS-56

ORDER

LAURA TAYLOR SWAIN, District Judge:

On July 11, 2014, the defendant was sentenced principally to a term of imprisonment of 420 months.

On May 5, 2025, the defendant filed a motion (docket entry no. 2460) requesting that this court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guidelines, which went into effect on November 1, 2023, and applies retroactively. The United States Probation Office has issued a report indicating that the defendant is not eligible for a sentence reduction (docket entry no. 2461 (“PSR”)).

The Court has considered the record in this case, along with Mr. Cantres-Sanjurjo’s motion.

Amendment 821 relief is not available where, even with the application of the amended provision, the lower end of the adjusted sentencing range is higher than the sentence that was previously imposed. U.S.S.G. § 1B1.10(b)(2)(A). Mr. Cantres-Sanjurjo’s original guideline sentence was life imprisonment, and the Court imposed a below-guideline sentence of 420 months. Mr. Cantres-Sanjurjo is eligible for a status point recalculation because he received a Criminal History points enhancement for committing the instant offense while under a criminal

justice sentence, which would bring his Criminal History Category down from II to I upon application of the amendment. (PSR at 3, 33.) However, even if Amendment 821 had been in effect at the time when Mr. Cantres-Sanjurjo committed the instant offenses, his offense level of 43, paired with the amended Criminal History Category of I, would still have yielded a Guideline Range of life imprisonment. (Id. at 3.)

Because the Sentencing Guidelines preclude the Court from reducing a defendant's term of imprisonment "to a term that is less than the minimum of the amended guideline range," U.S.S.G. § 1B1.10(b)(2)(A), Mr. Cantres-Sanjurjo is ineligible for a sentence reduction, and his motion for a sentence reduction is denied. Because Defendant is ineligible for a sentence reduction, there is no reason to appoint counsel. The Clerk of Court is respectfully directed to resolve docket entry no. 2460, reflecting the denial of the application. Chambers will mail a copy of this Order to Mr. Cantres-Sanjurjo.

SO ORDERED.

/s/ Laura Taylor Swain

Laura Taylor Swain  
Chief United States District Judge

Dated: June 5, 2025  
New York, New York

Copy mailed: Mr. Miguel Cantres-Sanjurjo

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